

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WALTER SPURLOCK and ANDRE
GUIBERT,

vs.

CITY AND COUNTY OF SAN
FRANCISCO, AIRPORT COMMISSION
OF THE CITY AND COUNTY OF SAN
FRANCISCO, KEABOKA MOLWANE in
his individual capacity and official capacity
as Aviation Security and Regulatory
Compliance Officer at the San Francisco
International Airport, and JEFF
LITTLEFIELD in his individual capacity and
official capacity as Chief Operating Officer
at San Francisco International Airport,
Defendant(s).

Case Number: 3:23-cv-04429

**[PROPOSED] ORDER DENYING
DEFENDANTS' MOTION TO DISMISS**

[PROPOSED] ORDER

On November 27, 2023, Defendants filed a Notice of Motion and Motion to Dismiss the Complaint. (Dkt. 28). On November 30, 2023, Plaintiffs filed a First Amended Complaint. (Dkt. 30). An amended complaint supersedes the original, the latter being treated thereafter as non-existent. *See Ramirez v. Cnty. of San Bernardino*, 806 F.3d 1002, 1008 (9th Cir. 2015); *Wilson v. Colourpop Cosmetics, LLC*, No. 22-cv-05198-TLT, 2023 U.S. Dist. LEXIS 185688, at *24 n.2 (N.D. Cal. Sep. 6, 2023). Defendants' Notice of Motion and Motion to Dismiss the Complaint is DENIED AS MOOT.

IT IS SO ORDERED.

Dated:

HON. ARACELI MARTÍNEZ-OLGUÍN
UNITED STATES DISTRICT JUDGE